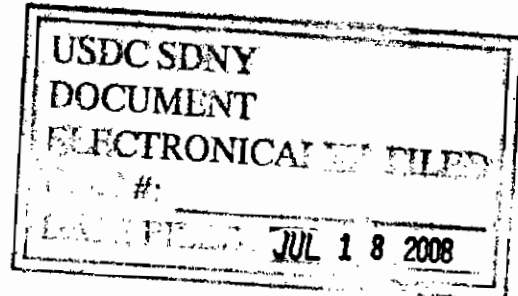


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SWAN, J.
PART

Howard Shapiro (pro hac vice admission pending)
Myron D. Rumeld
Russell L. Hirschhorn
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Attorneys for Defendants
Attorneys for Defendants



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Robert M. Cominsky, Barbara Pegues, Sharon Creel
and Peter J. Zeman, individually, on behalf of the
Wachovia Savings Plan, and all others similarly
situated,

Plaintiff,

v.

Wachovia Corporation, Wachovia Bank, National
Association, Wachovia Benefits Committee, Benjamin
J. Jolley, John Does 1-10, Wachovia Board of
Directors, John Baker II, James Balloun, Robert Brown,
Peter Browning, John Casteen III, Jerry Gitt, William
Goodwin Jr., Maryellen Herring, Robert Ingram,
Donald James, Mackey McDonald, Wallace Malone,
Joseph Neubauer, Lloyd Noland III, Timothy Proctor,
Ernest Rady, Van Richey, Ruth Shaw, Lanty Smith, G.
Kennedy Thompson, John Whitaker Jr. and Dona
Young,

Defendants.

No.: 1:08-cv-5990 (UA)

ECF CASE

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED that defendants Wachovia Corporation,
Wachovia Bank, National Association, Wachovia Benefits Committee, Benjamin J. Jolley,
Wachovia Board of Directors, John Baker II, James Balloun, Robert Brown, Peter Browning,
John Casteen III, Jerry Gitt, William Goodwin Jr., Maryellen Herring, Robert Ingram, Donald

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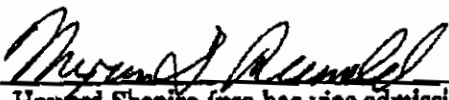
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James, Mackey McDonald, Wallace Malone, Joseph Neubauer, Lloyd Noland III, Timothy Proctor, Ernest Rady, Van Richey, Ruth Shaw, Lanty Smith, G. Kennedy Thompson, John Whitaker Jr. and Dona Young time is adjourned pending a determination on the motion to consolidate this action with the following actions: U.S.S.D.N.Y. Docket No. 08-cv-5320, U.S.S.D.N.Y. Docket No. 08-cv-5324, U.S.S.D.N.Y. Docket No. 08-cv-5578, and U.S.S.D.N.Y. Docket No. 08-cv-6196.

Dated: New York, New York
July 17, 2008

Respectfully Submitted,

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P.06/06

Dated: New York, New York
July 17, 2008

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SO ORDERED


U.S. District Court Judge

7/18/08
PART 2